

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VALERIE MCDONALD,

Plaintiff,

v.

NAVY FEDERAL FINANCIAL GROUP,
LLC DBA NAVY FEDERAL CREDIT
UNION,

Defendant.

Case No. 2:23-cv-01325-ART-EJY

ORDER

Pending before the Court is Navy Federal Credit Union's Motion to Quash Purported Service (ECF No. 10) filed on October 10, 2023. No response was timely filed. Under United States District Court for the District of Nevada Local Rule 7-2(d), the Court may treat the failure to file an opposition to a motion as consent by the opposing party to the granting of the motion. Moreover, in this instance, the Court finds good cause to grant specially appearing Navy Federal's Motion to Quash. The Summons issued for "Nevada Financial Group, LLC" and served on that entity's registered agent in the State of Nevada did not effect service on the separate entity that is Navy Federal Credit Union, a federally chartered credit union, chartered by the National Credit Union Administration (NCUA) with charter number 5536. Plaintiff, who has filed a Motion for Leave to Amend Complaint to Address the Correct Party, recognizes her error and seeks to correct the same. ECF No. 12. However, Plaintiff's Motion for Leave to Amend does not attach what would be Plaintiff's proposed third amended complaint to the motion. Under United States District Court for the District of Nevada Local Rule ("LR") 15-1(a), Plaintiff must attach a copy of the proposed third amended complaint to her Motion to Amend. Plaintiff's Motion for Leave is denied for this reason.

Accordingly, IT IS HEREBY ORDERED that Navy Federal Credit Union's Motion to Quash Purported Service (ECF No. 10) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion for leave to Amend Complaint to Address the Correct Party (ECF No. 12) is DENIED **without prejudice**. Plaintiff may refile her

1 motion seeking leave to amend, but she must attach a copy of her proposed third amended complaint
2 to the Motion. The Court grants Plaintiff through and including **November 9, 2023** to comply with
3 this Order.

4 Dated this 26th day of October, 2023.

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7 ELAYNA J. YOUCHAH
8 UNITED STATES MAGISTRATE JUDGE
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